IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISIDICTION

CONTEMPT PETITION NO.96 OF 2004

Sadanand Co.Operative Housing Society ...Petitioner

V/s.

Pune Municipal Corporation and ors. ...Respondents

....

Mr.Jagdish Reddy for Veena Rahorkar-Pore and Nitin Apte for Petitioner
Mr.R.G.Ketkar for Respondent nos. 1 to 3.

....

CORAM : B.H.MARLAPALLE,J.

DATE : FEBRUARY 11,2005

P.C.:

1. Heard Mr.Reddy, the learned advocate for the petitioner.

2. After Appeal from Order No. 646 of 2002, was disposed of by this Court by order dated 2.4.2002, Special Civil Suit No.1058 of 2001 came to be decreed by the learned Vth Jt.Civil Judge S.D. Pune on 23.6.2003 and the said decree has been challenged by the present respondent-corporation in First Appeal No. 1971 of 2003 which has been admitted by this Court. Civil Application No. 607 of 2004 has been filed in the said First Appeal and on 16.3.2004 interim order has been passed. This Contempt Petition has been moved on 31.1.2004 i.e. before the

interim order was passed by this Court on 16.3.2004 in Civil Application No. 607 of 2004. In the circumstances, this Contempt Petition does not survive and the same is disposed of as such. This order will not come in the way of the Society to take steps to protect its property.

[B.H.MARLAPALLE,J.]